

Application Serial No. 10/829,509
Attorney Docket No. 60027.0345US01/BS030284

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-28 were pending in the application, of which Claims 1, 14, and 28 are independent. In the Final Office Action dated November 13, 2006 (hereinafter the "Action"), Claims 1, 2, 4-6, 9, 14, 15, 17-19, 22, 27, and 28 were rejected under 35 U.S.C. § 102(e), Claims 7, 8, 10-13, 20, 21, 23-26 were rejected 35 U.S.C. § 103(a), and Claims 3 and 16 were objected to. Following this response, Claims 1 and 3-28 remain in this application, with Claim 2 being canceled without prejudice or disclaimer. Applicants hereby address the Examiner's rejections in turn.

Claim Objections

In the Action, the Examiner objected to dependent Claims 3 and 16 as being dependent upon a rejected base claim, but otherwise allowable. Independent Claims 1 and 14 have been amended in include the recitations of dependent Claims 3 and 16. Applicants respectfully submit that the amendments overcome this objection and add no new matter.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 2, 4-6, 9, 14, 15, 17-19, 22, 27, and 28 were rejected under 35 U.S.C. 102(e) as being anticipated U.S. Patent No. 7,027,053 (hereinafter "Berndt"). Applicants respectfully submit that this rejection of independent Claims 1 and 14 is moot in view of the remarks regarding Claim Objections. Independent Claim 28 has been amended to include similar recitations as those added to independent Claim 14. Applicants respectfully submit that independent Claims 1, 14, and 28 are in condition for allowance and Applicants respectfully request the Examiner to pass the claims to issue.

Dependent Claims 2, 4-6, 9, 15, 17-19, 22, and 27 are also allowable at least for the reasons described above regarding independent Claims 1 and 14, and by virtue of their respective dependencies upon independent Claims 1 and 14. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2, 4-6, 9, 15, 17-19, 22, and 27.

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Claim Rejections - 35 U.S.C. § 103

Claims 7, 8, 10-13, 20, 21, and 23-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Berndt in view of U.S. Patent No. 6,311,288 (hereinafter, "Heeren"). Dependent claims 7, 8, 10-13, 20, 21, and 23-26 are also allowable at least for the reasons described above regarding independent Claims 1 and 14, and by virtue of their respective dependencies upon independent Claims 1 and 14. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent claims 7, 8, 10-13, 20, 21, and 23-26.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.


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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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